

Dear Chairman Genachowski,

I'm a young citizen. For the past 5-6 years, I've been gaining a strong interest in how our country seems to operate in regards to its various "freedoms". Quite frankly, at just twenty years of age, I cannot bear to consider what the remainder of my life would entail should legislation such as Section 76.1903 of the Commission's rules be allowed to pass. It's not as if they're a seldom occurrence. A week barely goes by where I do not hear of some power/profit hungry corporation or politician trying to rob the country from its precious freedoms.

Let's take a look at the MPAA's request from a youthful perspective. The modern world centers around communication in countless formats (at least for us). And that is only going to increase. Allowing restrictions such as those proposed by the MPAA to pass are like trying to take away our modern freedom of speech. It is not necessarily the banishment of the freedom to record that is the issue here; it's more the principal that I worry about.

Corporations believe they have the right to control nearly every aspect of our lives, simply because technology allows them to do so. I develop software for a living - I understand the (now subsided) temptation. When I first began developing software, the amount of control available was overwhelmingly exciting. You can literally control peoples' lives with computers and the various technologies they make use of every day. But that hardly makes it right. Instead of taking advantage of that ability I so easily possess - the ability to manipulate whomever I please for my own advantage - I choose to fight against it to protect the freedoms of those who aren't able to defend against it. The freedoms of the other human beings who deserve to live their life in a country where they are free to do as they please, without fear of corporations deciding how life should be lived.

The MPAA and corporations like them are in a selfish pursuit of profit. Imagine the money they could make by preventing people from recording movies/shows, thereby forcing them to purchase it. Well, I assure you that whatever you imagine, it's wrong. Restrictions such as these do not encourage "good behavior". They don't encourage people to sit down and say "yes, Sir" like an obedient puppy. It encourages revolt. People are very protective of their freedoms. If they're not able to record their TV shows, they'll do worse. They'll go online and start pirating them. If they weren't going to buy it to begin with, the majority won't end up buying them in the end. TV stations will lose the advertising revenue they would otherwise generate by allowing TV recordings and instead lose profits to the easily acquirable media in this digital age. Anyone with a computer would have no trouble downloading their favorite movie or TV series. Legality doesn't matter. FREEDOM is what matters. By imposing such restrictions, you will be encouraging unlawful activity.

I'm unsure your knowledge on technical incidents, so take for example Prohibition. An excellent example of how "big brother" tried to enforce legislation against what a public freedom. That's where

the term "bootlegger" originated. Hell, the term's still even used to this day for pirated software and media. "Bootlegged" copies.

Laws are an excellent way to keep people in line if they are enforceable or created for the better good of the PUBLIC. We don't allow murders to go around killing people because that's detrimental to public health. What will MPAA's request solve? How will that benefit the consumer? The overall public? It won't.

The older generations who try to enact this sort of legislation are slowly becoming less. The younger generations are in line for running the country and we're coming kicking and screaming. Soon, requests such as these would be political suicide - as they should be. Freedom after freedom is being slowly taken from us and we're being suffocated by our own capitalist economy. Hasn't the MPAA and other companies such as the RIAA already ruined enough lives with the countless lawsuits for the downloading of minute numbers of mp3s or other media? Is it worth ruining the lives of individuals for listening to something they love? I assure you, chairman, the MPAA, artists and others who are profiting from the media are not harmed by the illegal downloading of music as much as those unfortunate families were by the MPAA's lawsuits.

So, as you can see, the issue at hand is far greater than a simple "scalable output control" concept. It's one nail in the coffin for the future of this country. The more the corporations push around the public, the more hands will join against them. Do not forget that the government exists to serve the people. If the people are unhappy, they have the right to overthrow such legislation, or the government itself. But is that ever allowed to happen? Hell no - money is too important in the corporate-controlled USA. But do not forget that the corporations are greatly outnumbered, and it's only a matter of time before public education regarding these atrocities will reach a point where this will no longer be tolerated.

I could sit here all day ranting about my position on all these issues. No doubt that you probably won't even get through the beginning of this message (if that). However, if even just a few eyes are able to read this, I hope that it will help give some perspective. Now, to avoid writing a paper...

Despite all my words, I believe those of the Free Software Foundation (at [DefectiveByDesign.org](http://DefectiveByDesign.org)) are able to sum up the overall concept just fine:

I urge you to deny the MPAA's request seeking waiver of Section 76.1903 of the Commission's rules. This waiver would allow studios to engage in "selectable output control," or "SOC." SOC would let Hollywood decide remotely which outputs I could use on the cable box and recording devices in my home. The waiver would take freedom away from people using these

devices, would restrict people using free (as in freedom) software like MythTV to make and watch recordings, and would set a dangerous precedent against the public's interest.

People have a basic right to not be controlled by the technology they use. Hollywood and set-top box manufacturers already violate this right by imposing Digital Restrictions Management (DRM) and proprietary software on the public. If you granted the waiver, you would be giving them even more power to trample on our rights.

Now that audio and video are a natural part of how people communicate, the ability to record, archive, share, and remix audio and video is essential to free speech, political debate and cultural participation. Hollywood and the MPAA are pushing these restrictions because they want a world where they are free to communicate with us, but where we cannot freely communicate with each other. The FCC represents the public, not Hollywood. Don't give them more power to restrict our freedom to use media or to participate in politics and culture.

As I understand it, the FCC also considers things like convenience, affordability, and economic impact in making its decisions. Other people have presented you with persuasive evidence that SOC will needlessly inconvenience viewers, will unfairly require the purchase of new equipment in order to watch certain movies, and will raise the price of basic equipment. But these questions should not even be considered when the cost is the public's freedom. Even if Hollywood does find a cost-effective and convenient way to enforce these restrictions, they should still be rejected.

I urge you to deny Hollywood's waiver request.

Thank you for your time - both Chairman Genachowski and whomever else may happen upon this.

Sincerely,  
Mike Gerwitz